

Message Text

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10

ACTION AF-06

INFO OCT-01 EUR-12 ISO-00 L-02 IO-10 CIAE-00 DODE-00 PM-03

H-02 INR-07 NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15

USIA-15 NIC-01 CU-04 SCCT-01 /089 W

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R 261500Z MAR 75

FM AMEMBASSY CAPE TOWN

TO SECSTATE WASHDC 4514

INFO AMEMBASSY DAR ES SALAAM

AMEMBASSY GABORONE

AMEMBASSY LONDON

AMEMBASSY LUSAKA

AMEMBASSY ASERU

AMEMBASSY MBABANE

AMEMBASSY PRETORIA

AMCONSUL DURBAN

AMCONSUL JOHANNESBURG PWRIP

UNCLAS CAPE TOWN 0360

E.O.11652:N/A

TAGS :PINT,PINS,PFOR,SF,RH

SUBJ :SITHOLE WITHDRAWS FROM TRIAL

REF :CAPE TOWN 0352

1. ACCORDING TO THE LOCAL PRESS,REV. NDABANINGI SITHOLE AND HIS LAWYERS HAVE WITHDRAWN FROM THE HEARING WHICH IS REVIEWING SITHOLE'RETENTION. MOVE IS EXERCISE OF DEFENDENT'S RIGHT AS OUTLINED IN REGULATIONS GOVERNING SPECIAL COURT'S PROCEEDINGS. HEARING WILL CONTINUE WITH RHODESIAN SOLICITOR-GENERAL OFFERING MORE EVIDENCE TO SUBSTANTIATE CHARGES THAT SITHOLE GUILTY OF ENCOURAGING ZANU TO CONTINUE MILITARY OPERATIONS AFTER CEASEFIRE AND OF PLOTTING TO KILL OTHER NATIONALIST LEADERS. LATTER CHARGE HAS FALLEN INTO BACKGROUND AS RHODESIAN PROSECUTION HAS SOUGHT TO TURN HEARING INTO PROCESS OF PROMOTING PUBLIC CONDEMNATION OF ZANU FOR ITS ALLEGEDLY INSTRUMENTAL ROLE IN PREVENTWG SETTLEMENT TALKS TO PROCEED.

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2. SITHOLE'S ATTORNEY,ISAAC MAISELS, ANNOUNCED DECISION TO
WITHDRAW AFTER JUSTICE MACRALD RULED THAT AFFIDAVIT SUBMITTED
BY IAN SMITH DETAILING HIS AGREEMENT WITH SAG PRIME MINISTER
VORSTER(REFTEL)WAS ACCEPTABLE AS DEFINITIVE STATEMENT OF
NATURE OF CEASEFIRE ACCORD. MAID
ARGUED THAT JUDGE'S
RULING PREVENTED HIM FROM PROPERLY 'VENTILATING'THE ISSUES
AT HAND AND DISCUSSING THE POLITICAL SITUATION WHICH EXISTED
BOTH BEFORELND AFTER THE AGREEMENT. MAISELS HAD EARLIER
INDICATED THAT HE WOULD ARGUE THAT THE RHODESIAN REGIME WAS
RESPONSIBLE FOR THE BREACH OF THE CEASEFIRE AND NOT ZANU.

3. PRIOR TO SITHOLE'S WITHDRAWAL,THE COURT HEARD THE HEAD

OF THE RHODESIAN SPECIAL BRANCH REPORT THAT THERE HAD BEEN 202
INCIDENTS ONVOLVING ZANU GUERILLAS SINCE THE LUSAKA CEASEFIRE
ANNOUNCEMENT.

HURD

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NNN

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